IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 18411 of 2007(P)

AS.200/2000 of I ADDL. DISTRICT COURT, TRIVANDRUM
E.A. 169/07 IN EP 60/06 IN OS.2001/1997 of PRL.M.C.,TRIVANDRUM

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PETITIONERS:

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1. MRS.SHERIFA KHAN, PARTNER, R.P.M.STORE,
   T.C.NO.11/944, NALANDA, NANTHENCODE,
   THIRUVANANTHAPURAM.

2. SHAHUL HAMMED, S/O.ABDUL RAZACK,
   MANAGING PARTNER, R.P.M.STORES, CHALAI,
   THIRUVANANTHAPURAM.

BY ADV. SRI.M.R.ANANDAKUTTAN
SMT.M.HEMALATHA
SRI.R.S.MADHU
SRI.MAHESH ANANDAKUTTAN

RESPONDENT:

SHARMILA BEEVI @ SHARMILA. T.C.9/284,
SANKARAMANGALAM, JAWAHAR NAGAR,
THIRUVANANTHAPURAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.(C) No. 18411 OF 2007 P
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Dated this the 15th June, 2007

J U D G M E N T

This writ petition is filed seeking to set aside Ext. P3 order and to give a direction to the Ist additional District Judge, Trivandrum, to consider and dispose of Ext. P1 application. One cannot find any infirmity in the order passed by the learned Munsiff for the reason that the party had already chosen to file an appeal and it has been filed and disposed of and therefore the matter is in the appellate stage. But the party has filed Ext. P1 application before the Ist additional District Judge for restoring the appeal which was dismissed for default on 20-1-2006. It is only just to direct the learned Ist additional District Judge to dispose of Ext. P1 application as expeditiously as possible that too within a time frame of six weeks from today and till the disposal of Ext. P1 further proceedings in the execution shall be kept in abeyance.

The writ petition is disposed of accordingly.

M.N. KRISHNAN
JUDGE

jan/